

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

John F. Bulboff
Debtor(s)

Bankruptcy Case No.: 20-21838-JAD
Issued per 12/17/2020 Proceeding
Chapter: 13
Docket No.: 40 – 5, 25
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 6/16/2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Deutsche Bank [Claim #4]; Pennsylvania Dept. of Revenue [Claim #9-2]; IRS [Claim #6] .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4000 including any fees paid to prior counsel.

Office of UC Benefits to be paid per plan at 6% interest.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) IT IS FURTHER ORDERED THAT:

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: December 22, 2020

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
John F. Bulboff
Debtor(s)

Case No. 20-21838-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Dec 22, 2020

User: skoz
Form ID: 149

Page 1 of 3
Total Noticed: 33

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 24, 2020:

Recip ID	Recipient Name and Address
db	+ John F. Bulboff, 7 Cherry Lane, Coal Center, PA 15423-1217
15254213	+ Amy F. Doyle, Esquire, Doyle, Adler, LLC, 11 East Market Street, Suite 103, York, PA 17401-1263
15254217	+ Deutsch Bank National Co. Trustee, c/o Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300, Littleton, CO 80129-2386
15257728	+ Deutsche Bank National Trust Co. Trustee (See 410), c/o Specialized Loan Servicing LLC, 6200 S. Quebec Street, Greenwood Village, CO 80111-4720
15254219	+ Empire Funding, c/o Zachter PLLC, Two University Plaza, Suite 205, Hackensack, NJ 07601-6211
15254220	Enhanced Recovery Corporation, 8014 Mayberry Road, Jacksonville, FL 32256
15254221	+ Fayette Waste LLC, PO Box 65, Waltersburg, PA 15488-0065
15254222	+ First Data, 1 Western Maryland Pkwy, Hagerstown, MD 21740-5146
15254225	+ John J. Hyland, 3510 Outlook Drive, West Mifflin, PA 15122-1800
15254226	+ Keystone Hardware, 615 W Pike Street, Canonsburg, PA 15317-1064
15257000	+ Local Edge, A Heart Media Services Company, c/o Amato and Keating, P.C., 107 North Commerce Way, Bethlehem PA 18017-8913
15254227	+ Local Edge, A heart media services co., c/o Amato Keating and Lessa, P.C., 107 North Commerce Way, Bethlehem, PA 18017-8913
15254232	PA Department of Labor and Industry, Office of UC Tax Services, 651 Boas Street, Harrisburg, PA 17121-0750
15254234	+ PNC Card member services, P.O. Box 2859, Kalamazoo, MI 49003-2859
15254237	+ SK Diesel Service LLC, 2134 Route 22 Hwy West, Suite C, Blairsville, PA 15717-1266
15254235	+ Samuel A. Moore, Esquire, 5311 Brightwood Road, Bethel Park, PA 15102-3617
15254236	+ Santander Consumer USA, Attention: Bankruptcy Dept., PO Box 560284, Dallas, TX 75356-0284
15254239	+ United States Attorney's Office, 700 Grant Street, Suite 4000, Pittsburgh, PA 15219-1955
15254240	+ Wells Fargo Dealer Services, PO Box 10709, Raleigh, NC 27605-0709

TOTAL: 19

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
15254215	+ Email/Text: GenesisFS@ebn.phinsolutions.com	Dec 23 2020 04:24:00	CB Indigo, PO Box 4499, Beaverton, OR 97076-4499
15259800	Email/PDF: MerrickBKNotifications@Resurgent.com	Dec 23 2020 02:46:35	Capital Bank, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
15254214	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Dec 23 2020 02:36:31	Capital One, PO Box 71083, Charlotte, NC 28272-1083
15254216	+ Email/PDF: creditonebknotifications@resurgent.com	Dec 23 2020 02:36:47	Credit One Bank, PO Box 60500, City of Industry, CA 91716-0500
15254218	Email/Text: mrdiscen@discover.com	Dec 23 2020 03:48:00	Discover Bank, 6500 New Albany Road, New Albany, OH 43054
15254223	+ Email/Text: bankruptcy.notices@hdfsi.com	Dec 23 2020 04:24:00	Harley Davidson Credit, 3850 Arrowhead Drive, Carson City, NV 89706-2016
15254224	+ Email/Text: sbse.cio.bnc.mail@irs.gov	Dec 23 2020 03:49:00	Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
15256321	Email/PDF: resurgentbknotifications@resurgent.com	Dec 23 2020 02:57:55	LVNV Funding, LLC, Resurgent Capital Services,

District/off: 0315-2

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15254228	+ Email/PDF: resurgentbknotifications@resurgent.com	Dec 23 2020 02:47:45	PO Box 10587, Greenville, SC 29603-0587 LVNV Funding, LLC, c/o Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15254231	+ Email/Text: bankruptcydpt@mcmcg.com	Dec 23 2020 04:23:00	Midland Funding, 8875 Aero Drive, Suite 200, San Diego, CA 92123-2255
15254233	+ Email/Text: RVSVCBICNOTICE1@state.pa.us	Dec 23 2020 04:23:00	PA Department of Revenue, Bankruptcy Division, PO Box 280946, Harrisburg, PA 17128-0946
15274343	+ Email/Text: RVSVCBICNOTICE1@state.pa.us	Dec 23 2020 04:23:00	Pennsylvania Department of Revenue, Bankruptcy Division PO BOX 280946, Harrisburg, PA 17128-0946
15264669	Email/Text: bnc-quantum@quantum3group.com	Dec 23 2020 04:23:00	Quantum3 Group LLC as agent for, Genesis FS Card Services Inc, PO Box 788, Kirkland, WA 98083-0788
15254238	+ Email/Text: appebnmailbox@sprint.com	Dec 23 2020 04:23:00	Sprint, PO Box 8077, London, KY 40742-8077
TOTAL: 14			

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Commonwealth of Pennsylvania, Department of Revenue
cr		Deutsche Bank National Trust Company, as Trustee f
15254230		Martha Rudy
15254229	##+	Maria Sundy, 43 Universal Street, Bridgeville, PA 15017-2447

TOTAL: 3 Undeliverable, 0 Duplicate, 1 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 24, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 22, 2020 at the address(es) listed below:

Name	Email Address
Allison L. Carr	on behalf of Creditor Commonwealth of Pennsylvania Department of Revenue acarr@attorneygeneral.gov
Brian Nicholas	on behalf of Creditor Deutsche Bank National Trust Company as Trustee for First Franklin Mortgage Loan Trust 2006-FF9, Mortgage Pass-Through Certificates, Series 2006-FF9 bnicholas@kmlawgroup.com
Brian C. Thompson	on behalf of Debtor John F. Bulboff bthompson@ThompsonAttorney.com blemon@thompsonattorney.com;mgillespie@thompsonattorney.com;bthompson@ecf.courtdrive.com;jgorze@thompsonattorney.com;jcastello@thompsonattorney.com;kbelko@thompsonattorney.com

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Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

TOTAL: 5